

Michigan Amendments in Response to the OSEP 4/7/08 Status Table

Pg	Indicator	Location on page	Wording as submitted 2/1/08	Revised wording as submitted 4/14/08	Reason for change
50	4	Response table	<p>Response to Identified Concerns:</p> <p>2. ... Districts with a two year pattern are reviewing their policies, procedures and practices which may relate to their suspension/expulsion rates. The OSE/EIS has provided a Self Review to assist districts in this review. The Self Review emphasizes adherence to the State Board of Education's newly adopted policy that schools implement Positive Behavior Support Systems. In addition, the Self Review also requires an examination of the district's policies, practices and procedures regarding special education procedural safeguards along with development and implementation of IEPs relative to students with disabilities.</p>	<p>Response to Identified Concerns:</p> <p>2. ... The six (6) districts... In addition, the Self Review also requires an examination of the district's policies, practices and procedures regarding special education procedural safeguards along with development and implementation of IEPs relative to students with disabilities. This is being supplemented by a Focused Monitoring site visit.</p> <p>3. Relative to the nine (9) districts that demonstrated a one year significant discrepancy in FFY 2005, the status is the following:</p> <ol style="list-style-type: none"> One charter school closed during the 2006-2007 school year. No follow-up was possible. Among six of the remaining districts, during the 2006-2007 school year fewer than ten students received suspensions/ expulsions greater than ten days. <ul style="list-style-type: none"> Three districts had zero 	Districts with one year of significant discrepancies in rates of long term suspensions/expulsions, must serve as the basis for review of policies, procedures, and practices.

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				<p>long term suspensions/expulsions</p> <ul style="list-style-type: none"> • One district had one long term suspension/expulsion • One district had two long term suspensions/expulsions • One district had six long term suspensions/expulsions <p>4. With more detailed data collection in place for the 2007-2008 school year, reviewing the data submitted through the February 15, 2008 window, most of these districts continue to improve.</p> <ul style="list-style-type: none"> • Four districts have zero suspensions/expulsions >10 days for any students with disabilities • Three additional districts have fewer than ten suspensions/expulsions >10 days for any students with disabilities <p>5. Beginning with the FFY 2007, Michigan is implementing the annual review of policies, procedures and practices in districts</p> <p>a. relating to the</p>	

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				<p>development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with IDEA, as required by 34 CFR §300.170(b)</p> <p>b. based on one year of data that reflects a significant discrepancy.</p>	
70	7	Bottom paragraph	<p>The MDE views these data as preliminary, because only one-third of the state was represented in the first cohort with the exception previously noted. Additionally, progress data are only reflective of children who received at least six months of programs and/or services. The MDE has also recognized that the lack of a statewide database to track preschool aged children has been problematic. As a result, the data collection process has likely impacted the overall validity of the results to an acknowledged yet unknown degree.</p>	<p>Specifically, progress data were collected on Cohort 1 of the Continuous Improvement and Monitoring System (CIMS), meaning that data were collected on one-third of all eligible ISDs. The OSEP approved this sampling methodology. Note that progress data are only reflective of children who received at least six months of programs and/or services, as is consistent with IDEA 2004. Finally, because the MDE collected data on a sufficient number of students, results are generalizable to all eligible students.</p>	Clarify the validity of the data collected.
70-	7		Heading titles for Tables 1 and	Inserted federal titles for each	Inconsistent titles

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71			2.	header (i.e., A., B., & C.).	
98	10	Below measure-ment table	New	April 14, 2008 Update: On April 7, 2008 the OSEP provided feedback to the State that the existing calculation of disproportionate representation is “inconsistent with the required measurement” --“that it does not identify districts for disproportionate representation of racial and ethnic groups in <u>each</u> of the six specified categories” Please see the revised operational definitions below in response to OSEP feedback.	Disproportionate representation in any one disability must be addressed—Michigan’s earlier calculation including a threshold of two disabilities among AI, LD, OHI, SLI was unacceptable
118	11	After Response Table	New	April 14, 2008 Update: Based on the work reported in Indicator #15, on April 7, 2008, the OSEP directed the State to document program-specific follow-up activities related to uncorrected noncompliance within each affected indicator. The table with that information follows. (Table follows)	This aligns with Indicator #15 required documentation of program-specific follow-up activities related to uncorrected noncompliance per indicator.
134	13	After Response Table	New	April 14, 2008 Update: Based on the work reported in Indicator #15, on April 7, 2008, the OSEP directed the State to document program-specific follow-up activities related to uncorrected noncompliance	This aligns with Indicator #15 required documentation of program-specific follow-up activities related to uncorrected noncompliance per indicator.

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				within each affected indicator. The table with that information follows. (Table follows)	
140	14	Baseline Data	<ul style="list-style-type: none"> • 19 percent (387) • 29 percent (695) • 30 percent (606) • 22 percent (452) 	<p>Nearly seventy-eight percent (77.8%) of leavers in 2005–2006 indicated that they had been competitively employed, enrolled in some type of postsecondary school or training, or both within the past year.</p> <p>More specifically, of the 2,038 responses:</p> <ul style="list-style-type: none"> • 19.0 percent (387) were <i>only</i> competitively employed • 29.1 percent (593) were <i>only</i> enrolled in some type of postsecondary school or training • 29.7 percent (606) had been <i>both</i> competitively employed and enrolled in some type of postsecondary program • 22.2 percent (452) had not been competitively employed or enrolled in some type of postsecondary program 	<p>Corrected one data element; (695→593) The error had occurred during de-duplication of the phone and written survey responses.</p> <p>Percentages were rounded to one decimal place.</p>
146	15	Target Table: FFY	87.73%	90.18%	There were additional district corrections of non-compliance

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		2006 Data			that were completed within one year, not previously counted as such, because the MDE did not do a site visit verification within that year. See changes listed for pp. 149-151 below.
146	15	Ind. 13 row, last column	11 ..for which correction was verified no later than one year from identification	12 ..for which correction was verified no later than one year from identification	This district corrected non-compliance within one year, and the OSE/EIS staff providing ongoing general/ supervision technical assistance (TA) to this district had written documentation to that effect. The state hadn't visited to verify within one year. During the November 2007 OSEP verification visit we learned that the visit is not an essential aspect of the one year time line.
147	15	Ind. 5 row, last column	2 ..for which correction was verified no later than one year from identification	4 ..for which correction was verified no later than one year from identification	These districts corrected non-compliance within one year, and the OSE/EIS staff providing ongoing general supervision TA to these districts had written documentation to that effect. The state hadn't visited to verify within one year. During the November 2007 OSEP verification visit we learned that the visit is not an essential aspect of the one year time line.
148	15	Ind. 8 row, last column	6 ..for which correction was verified no later than one year from identification	7 ..for which correction was verified no later than one year from identification	This district corrected non-compliance within one year, and the OSE/EIS representative

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					providing ongoing general supervision TA to these districts had written documentation to that effect. The state hadn't visited to verify within one year. During the November 2007 OSEP verification visit we learned that the visit is not an essential aspect of the one year time line.
149	15	Bottom two rows	143 87.73%	147 90.18%	Change in sum affected by changes in rows for indicators 5, 8 and 13 : now 147/163
149	15	After "Sources...B-15 Worksheet"	New text and table	<p>April 14, 2008 Update: Based on the work reported in Indicator #15, on April 7, 2008, the OSEP directed the State to document program-specific follow-up activities related to uncorrected noncompliance within each affected indicator. The table with that information follows.</p> <ul style="list-style-type: none"> • The OSE/EIS' previous business rules permitted a 2 year improvement period for SPSR findings of noncompliance. Based on OSEP November 2007 verification visit guidance, districts were redirected to complete corrective action by April 1, 2008 and report completion in their June 15, 2008 close-out progress 	This provides the OSEP required documentation of program-specific follow-up activities related to uncorrected noncompliance within each affected indicator.

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				<p>report. Some districts had corrected all instances of noncompliance prior to the one year deadline.</p> <ul style="list-style-type: none"> • For all instances of noncompliance discovered during focused monitoring activities, the OSE/EIS reported as a finding any instance of noncompliance that was not verified as corrected until after the one year time limit. Based on the OSEP's recent guidance, any correction that was verified to have occurred within the one year time limit and prior to the official OSE/EIS follow up visit has been removed. <p>(table follows)</p>	
156	15		a....ten LEAs....eight LEAs	a....eleven LEAs....seven LEAs	Align with amendments above
157	15	Above "Revisions"	The districts were given up to one year to correct all instances of noncompliance. The follow-up visits did not occur within the one year timeline. Therefore, no findings were considered to have been corrected within one year. Follow-up visits were conducted in the fall of 2007. The results of the follow-up visits are as follows per cluster.	The districts were given up to one year to correct all instances of noncompliance. Even though the follow-up visits did not occur within the one year timeline, the TA staff assigned to the district verified correction prior to the official visit in some districts. Follow-up visits were conducted in the fall of	

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		 The OSE/EIS has directed districts with continued noncompliance to provide evidence of compliance within six (6) months. In the event that full compliance is not documented at that time, the OSE/EIS will take action to promptly bring the district(s) into immediate compliance. Actions may include increased supervision, compliance agreements, and/or possible financial sanctions. Because of the guidance given during the OSEP verification visit, OSE/EIS has provided clearer direction to the districts and intensified the requirement of correction of noncompliance as soon as possible but no longer than one year.	2007. The results of the follow-up visits are as follows per cluster. The OSE/EIS has directed districts with continued noncompliance to provide evidence of compliance within three (3) months . In the event that full compliance is not documented at that time, the OSE/EIS will take action to promptly bring the district(s) into immediate compliance. Actions may include increased supervision, compliance agreements, and/or possible financial sanctions. Because of the guidance given during the OSEP verification visit, OSE/EIS has provided clearer direction to the districts and intensified the requirement of correction of noncompliance as soon as possible but no longer than one year.	
188	20	Top	New	Finally, after the OSEP notified the MDE of inaccuracies and/or inconsistencies found in data on indicators 7, 10, and 20, the MDE clarified and/or corrected data related issues. Specifically: <ul style="list-style-type: none"> For indicator 7, the MDE clarified that the sampling plan used to collect data 	Language clarifying OSEP-required changes made to the two disability calculation procedures for disproportionate representation; This correction allows the scores to return to "1" for valid and reliable data on the indicator 20 worksheet for indicators 7, 10, and 20.

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				<p>was approved by the OSEP and the results are generalizable to all eligible students.</p> <ul style="list-style-type: none"> For indicator 10, the OSE/EIS amended the business rules for disproportionate representation to reflect single disabilities, re-analyzed all LEA data from the 2005 and 2006 school years using the new business rules; and will notify school districts by April 21, 2009, of their current status with respect to disproportionality and send them a document that outlines how they are to address any related concerns. For indicator 20, the MDE added and/or clarified methodologies used to ensure valid and reliable data for all indicators. As a result, all indicators received a score of "1" for valid and reliable data. 	
213	10	Appendix F	For LEAs and PSAs to be considered disproportionate <u>both</u> conditions need to be present: Two consecutive years	LEAs and PSAs are considered to be disproportionate when the appropriate ratio >2.5 in any one disability category	Shift from two disabilities to one for disproportionate representation

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			of <u>either Operating or Resident district WRRs greater than 2.5</u> (2005-2006 and 2006-2007 in at least two different disability categories for two consecutive years (2005-2006 and 2006-2007), or one category for two consecutive years among students with cognitive or emotional impairments.	(cognitive impairment, emotional impairment, specific learning disability, other health impairment, speech and language impairment, autism) for two consecutive years. See Appendix F for revised Business Rules.	

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xx	all	Through-out	There were minor typing and formatting errors. None of these had any effect on content.	Correct/consistent use/formatting of capitals, bullets, hyphens, and acronyms are applied using track changes. Changes were made following consultation with the State Contact for OSE/EIS at OSEP.	This will make the document easier to read for Michigan stakeholders as they review sections relative to local public reporting and determinations.
31	3	Target Table notes-a, b	... districts meeting the State's AYP objectives for progress for disability subgroup	... districts meeting the State's AYP objectives for progress for disability subgroup for at least one grade range	Clarify re: AYP requirement
43	3	After Response Table	New	April 14, 2008 Update: Based on the work reported in Indicator #15, on April 7, 2008, the OSEP directed the State to document program-specific follow-up activities related to uncorrected	While not explicitly cited for Indicator #3 in the OSEP Status Table, this aligns with Indicator #15 required documentation of program-specific follow-up activities related to uncorrected

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				noncompliance within each affected indicator. The table with that information follows. (Table follows)	noncompliance per indicator.
53	5	Indicator 5 title & measurement box For a & b	A. Removed from regular class less than 21% of the day B. Removed from regular class greater than 60% of the day	A. Inside the regular class 80% or more of the day; B. Inside the regular class less than 40% of the day; or	To make the table easier for the public to understand, particularly as this will be reflected in LEA public reports. There was no change in data, just how it was described.
53	5	footnote	At the time of the release of this package, revised forms for collection of Section 618 State reported data had not yet been approved. Indicators will be revised as needed to align with language in the 2006-2007 State reported data collections.	<i>Added</i> "(Per Ruth Ryder's response on April 8, 2008 national technical assistance conference call, the language for A and B were adjusted to be consistent with §618 forms)."	To clarify impact of removing the parentally placed students on the target for 80% regular ed, and serve as a resource for new target setting for the FFY APR
54	5	targets	A. Removed from regular class less than 21% of the day B. Removed from regular class greater than 60% of the day	A. Inside the regular class 80% or more of the day; B. Inside the regular class less than 40% of the day; or	To make the table easier for the public to understand, particularly as this will be reflected in LEA public reports. There was no change in data, just how it was described.
58	5	Explanation of Slippage that occurred for FFY 2006:	In addition, changes in the §618 data collection appear to have contributed to the....	In addition, changes in the §618 data collection appear to have contributed to the decrease in the number/percentage of students with disabilities who were inside the regular education classroom at least 80% of day. The 2006-2007 data collection regarding students with disabilities who were <i>parentally placed in private settings</i> changed to an unduplicated	Change in wording in LRE to reflect % of students in regular education classroom.

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				count. Because more than 1600 Michigan students served by special education in private school settings were served inside the regular education classroom at least 80% of the day, this change affected the number and percentage of students in this category from FFY 2005. A few LEAs report a pattern of parents moving children with milder impairments into private schools while leaving children more significant impairments in the LEAs, given that the LEAs can provide comprehensive programs and services. This may also account for a shift in percentages of students served in more restrictive environments and a reduction of students served in regular classrooms.	
60	5	Activity 6	6. <i>New:</i> The OSE/EIS State Performance Plan (SPP) Indicator leads analyze how educational environment impacts other Indicators, particularly disproportionate representation and post-secondary outcomes. Indicator leads will do cross-cutting work between educational environment and disproportionate representation.	6. <i>New:</i> The OSE/EIS State Performance Plan (SPP) Indicator leads analyze how educational environment impacts other Indicators, particularly disproportionate representation and post-secondary outcomes. Indicator leads will do cross-cutting work among educational environment, disproportionate representation, and post-	Clarify role of collaboration with Indicator #14 team.

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				secondary outcomes.	
62	5	After Response Table	New	April 14, 2008 Update: Based on the work reported in Indicator #15, on April 7, 2008, the OSEP directed the State to document program-specific follow-up activities related to uncorrected noncompliance within each affected indicator. The table with that information follows. (Table follows)	While not explicitly cited for Indicator #5 in the OSEP Status Table, this aligns with Indicator #15 required documentation of program-specific follow-up activities related to uncorrected noncompliance per indicator.
82	9	State Definitions table	None	Add table headers: Over-Representation Under-Representation	to enhance understanding, clarity, & readability of table
82	9	Footnotes	Native American	American Indian	Align with §618 language
83	9	Targets	Native American	American Indian	Align with §618 language
96	10	Below target	New	April 14, 2008 Update: On April 7, 2008 , the OSEP provided feedback to the State that the existing calculation of disproportionate representation is "inconsistent with the required measurement" --"that it does not identify districts for disproportionate representation of racial and ethnic groups in <u>each</u> of the six specified categories" Please see the revised operational definitions below in response to OSEP feedback.	Address requirement for disproportionate representation relative to a single disability

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96	10	State Definitions table	None	<p>Add table headers: Over-Representation Under-Representation</p> <p>Redefine criteria</p>	<p>to enhance understanding, clarity, & readability of table</p> <p>To meet disproportionate representation single disability requirement</p>
99	10	After response table	New	<p>April 14, 2008 Update: In response to the OSEP feedback that the current calculation of disproportionate representation is "inconsistent with the required measurement" – "that it does not identify districts for disproportionate representation of racial and ethnic groups in <u>each</u> of the six specified categories" the following steps were taken that will affect the final data in Table 2:</p> <ul style="list-style-type: none"> • The OSE/EIS has amended its disproportionality business rules as stated on the previous page. • The OSE/EIS has re-analyzed all LEA disproportionate representation data from school years 2005 and 2006 using the new rules. Preliminary findings suggest an increase in 	<p>Define Next Steps that Michigan is taking relative to disproportionate representation among single disabilities.</p>

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				<p>number (approximately 12) of districts with risk ratios>2.5.</p> <ul style="list-style-type: none"> Districts will be notified by April 21, 2009 of their current status along with a document outlining required next steps to address the concern. <ul style="list-style-type: none"> Notified districts verify their data, with an opportunity to appeal. 	
112	11	Target Table: Top Row, Row C and Bottom row	96.1% 11559 95.96%	96.2% 11572 96.2%	A district submitted data verification on 2/1 that affected the percentage. Also additional LEA verifications occurred during the process of preparing the spring 2008 public reporting.
113	11	Act. #4, right column	<i>Early On</i> Training and Technical Assistance Center	Child Find Grant	One team has two grants. It is the Child Find grant that is responsible to this activity.
114	11	#1	7 (3, 2, 2) 7 personnel unavailable	4 (2, 1, 1) 7 personnel unavailable	Additional LEA verifications occurred during the process of preparing the spring 2008 public reporting.
114	11	#5	69 [1, 4, 30, 18, (0), 16] 6 child unavailable 63 personnel unavailable	68 [1, 9, 30, 12, 3, 13] 6 child unavailable 62 personnel unavailable	
115	11	#13	88 [8, 21, 8, 8, 5, 9, 29] 88 personnel unavailable	86 (7, 21, 8, 8, 5, 8, 29) 86 personnel unavailable	
116	11	#15	25 [3, 1, 3, 1, (0), 3, 13] 25 personnel unavailable	24 [5, 1, 5, 2, 3, 3, 2, (0)] 24 personnel unavailable	
115	11	#19	137 [15, 14, 14, 12, 1, 7, 60] 1 child unavailable	138 [12, 12, 16, 13, 15, 7, 63] 1 child unavailable	

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116			136 personnel unavailable	137 personnel unavailable	
116	11	#22	7 [no data] 7 no data available	7 [1, 5, 1] 7 personnel unavailable	
116	11	#25	1 [no data] 1 no data available	1 [1] 1 Waiting for school of choice application to be approved	
116	11	#29	18 [no data] 18 no data available	18 [1, 3, 3, 2, 9] 9 no data available	
116	11	#31	19 [no data] 19 no data available	12 [1, 3, 1, 7] 12 no data available	
120	12	Middle	'	Indicator 12	Indicator 12 was accidentally replaced with an '
126	13	Overview #4	Based on what are now four reviews of secondary transition data, Michigan feels assured that the necessary components required in section 614 of IDEA are present in the individualized education program (IEP). The OSE/EIS is taking advantage of the redesign of the CIMS, to embed the compliance components of this indicator into the monitoring process. This will yield two primary benefits: a) create statewide consistency in compliance expectations and b) separate measures of compliance and quality.	After extensive review of secondary transition records, the OSE/EIS is embedding components of this indicator into the Continuous Improvement and Monitoring System (CIMS). This will yield two primary benefits: a) create statewide consistency in compliance expectations and b) separate measures of compliance and quality.	Clarification
165	17	Table 1	77 of 116 = 65%	77 of 116 = 66%	correction

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		(3.1) 2005			
171	18	Monitoring Priority text box	(Compliance Indicator)	(Results Indicator)	Copying error when labeling all indicators
215	App. F	Under example	Native American	American Indian	Align with §618 language
244	App. J (Indicator 10)		New	Draft letter and attachments which will go to districts	Document Michigan's communication plan with districts to notify them re: disproportionate representation data verification and analysis of policies, procedures, and practices